

LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
www.lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
GIULIO A. DeCONTI, JR.
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
DEBRA J. MILASINCIC, Ph.D.
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.
LISA DIROCCO TYNER
HATHAWAY P. RUSSELL *
MARIA LACCTRIPE ZACHARAKIS, Ph.D.

MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUIHOON LEE **
MANEESH GULATI
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
MICHAEL J. BASTIAN, Ph.D.
CHRISTOPHER J. MCKENNA
VINCENT P. LOCCISANO
JAMES M. McKENZIE
SENIOR COUNSEL
JAMES E. COCKFIELD
OF COUNSEL
JEREMIAH LYNCH
JEANNE M. DIGIORGIO
CYNTHIA L. KANIK, Ph.D.
JOHN D. LANZA

TFW
PATENT AGENTS
JONATHAN M. SPARKS, Ph.D.
ANDRINA WILLIAMS ZINK
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.
CHRISTOPHER E. DRABIK

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB G. WEINTRAUB
DEBORAH L. NAGLE, Ph.D.
ANNE JACQUELINE WIZEMAN, Ph.D.
BRIAN C. TRINQUE, Ph.D.
CHRISTOPHER R. COWLES, Ph.D.
JAMES H. VELEMA
W. ELANA WANG
CYNTHIA M. GILBERT

* Admitted in TX only
** Admitted in CT only

September 17, 2004

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/646,371
For: *METHOD FOR CHARACTERIZING BIOMOLECULES UTILIZING A RESULT DRIVEN STRATEGY*
Inventors: Graber, Armin, *et al.*
Filed: August 22, 2003
Our Ref. No.: SY9-179

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement;
2. PTO Form SB/08;
3. Copies of references A1, B1-B3, and C47-C49 cited in PTO Form SB/08 (7); and
4. A Return Postcard.

Please charge the necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

September 17, 2004

Date


Michael J. Bastian, Ph.D., Registration No. 47,411

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Michael J. Bastian, Ph.D.
Registration No. 47,411
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Gruber, Armin, *et al.*

Serial No.: 10/646,371

Filed: August 22, 2003

For: *METHOD FOR CHARACTERIZING
BIOMOLECULES UTILIZING A RESULT DRIVEN
STRATEGY*

Attorney Docket No.: SY9-179

Group Art Unit: 2881

Examiner: Marcus Kirk

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

September 17, 2004
Date of Signature and of Mail Deposit

By:


Michael J. Bastian, Ph.D.
Reg. No. 47,411
Attorney for Applicants

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney have become aware of the following documents and information, cited in an Invitation to Pay Additional Fees mailed May 14, 2004, from the International Searching Authority during the prosecution of PCT/US 03/26471, a counterpart foreign application to the above referenced application. The Invitation to Pay Additional Fees having as an annex thereto a Partial International Search Report. In accordance with 37 CFR §1.97, Applicants hereby submit these documents and information for the Examiner's consideration. These

09/20/2004 YPOLITE1 00000019 120080 10646371

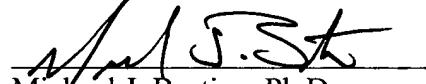
01 FC:1806 180.00 DA

documents are cited on the enclosed PTO Form SB/08, and a copy of the Report and each document cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents and information are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document or information herein be construed *per se* as a representation that such document or information is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited documents and information.

In accordance with 37 CFR §1.97(c)(2) and §1.17(p), please charge the \$180.00 submission fee to our Deposit Order Account No. 12-0080. Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

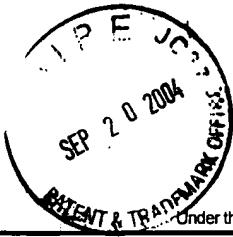


Michael J. Bastian, Ph.D.
Registration No. 47,411
Attorney for Applicants

28 State Street
Boston, MA 02109
(617) 227-7400

Date: September 17, 2004

MJB/r1
Enclosures



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	10/646,371
				Filing Date	August 22, 2003
				First Named Inventor	Graber, Armin
				Art Unit	2881
				Examiner Name	Marcus Kirk
Sheet	1	of	1	Attorney Docket Number	SY9-179

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
A1		US 2002/0001814 A1	01-03-2002	Chu, Ivan K., et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
B1		EP 1 006 559 A2	07-06-2000	MDS Inc.	
B2		WO 02/061047 A2, A3	08-08-2002	Ciphergen Biosystems, Inc.	
B3		WO 02/21139 A2	03-14-2002	Oxford Glycosciences (UK) Ltd.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	C47	GRAS, R., et al. Improving protein identification from peptide mass fingerprinting through a parameterized multi-level scoring algorithm and an optimized peak detection. Electrophoresis. 1999; vol. 20:3535-3550.			
	C48	PAPAYANNOPOULOS, I.A., The Interpretation of Collision-induced Dissociation Tandem Mass Spectra of Peptides. Mass Spectrometry Reviews. 1995; vol. 14:49-73.			
	C49	Partial International Search Report for PCT/US03/26471 as an annex to an Invitation to Pay Additional Fees.			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--